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20 UNITED STATES DISTRICT COURT
21 EASTERN DISTRICT OF CALIFORNIA

22 C.R., by and through her Guardian Ad
23 Litem, TIFFANY ROE,

24 Plaintiff,

25 vs.

26 ELK GROVE UNIFIED SCHOOL
27 DISTRICT, CAPITOL ELEMENTARY
28 SCHOOL, INC., MARILYN DELGADO
and IRA ROSS, as individuals, and DOES
1 to 10,

Defendants.

Case No. 2:20-CV-02296-KJM-AC

Assigned to: Chief U.S. District Judge
Kimberly J. Mueller

**STIPULATED MOTION AND
ORDER TO CONTINUE
DEADLINES AS MODIFIED IN THE
COURT'S MARCH 1, 2022 ORDER**

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12 *Attorneys for Defendants Elk Grove Unified*
13 *School District and Marilyn Delgado*

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1 IT IS HEREBY STIPULATED AND AGREED by all parties to the above-
2 captioned action, by and through their counsel of record, that good cause exists for the
3 extension of the deadlines set forth in the Court's March 1, 2022 Order, which
4 modified the original dates set forth in the Court's March 25, 2021 Order, in order to
5 allow the parties to continue factual discovery, permit timely disclosure of experts,
6 consider possible mediation and/or settlement options, and prepare and file any
7 dispositive motions, if necessary.

8 WHEREAS, the parties agree that good cause exists on the following grounds.
9 With regard to Plaintiff's counsel, on May 13, 2022, Carol Lynn Thompson, then-
10 current counsel, filed a Notice of Withdrawal of Counsel with the Court, and is no
11 longer associated with Sidley Austin LLP. Additional counsel from the firm,
12 including Diana M. Kwok, Giles Judd, and Tatiana K. Fields, transitioned to this
13 matter in May of 2022, and will be representing Plaintiff in this matter on a pro bono
14 basis. Additional time is therefore needed in order for counsel to familiarize
15 themselves with the facts and procedural history of this matter, as well as to ensure
16 that counsel is properly admitted to this Court and to make all necessary appearances,
17 and to engage in meaningful discovery.

18 Similarly, with regard to counsel for Defendant Capitol Elementary School, on
19 May 23, 2022, Cynthia G. Lawrence filed a Designation of Counsel for Service with
20 the Court, removing Shannon L. Knorr as counsel for Defendant, and adding Norma
21 P. Chavez. Additional time is therefore needed in order for counsel to familiarize
22 themselves with the facts and procedural history of this matter, and to engage in
23 meaningful discovery.

24 Further, with regard to counsel for Defendant Elk Grove Unified School
25 District, counsel has notified the parties that they will be unavailable toward the end
26 of the current deadline for factual discovery due to scheduling conflicts. Accordingly,
27 in order to allow for meaningful discovery, as well as to allow counsel for all parties
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1 to establish a working relationship with each other which might promote mediation
2 and/or settlement discussion efforts, additional time is appropriate in this instance.

3 Finally, due to the COVID-19 pandemic, previous discovery efforts were
4 significantly disrupted. All parties are now working diligently to obtain necessary and
5 relevant discovery in order for this case to progress.

6 WHEREAS, the Court's March 1, 2022 Order modified the deadlines as
7 follows:

- 8 1. Factual discovery shall be completed by October 25, 2022;
- 9 2. Expert disclosures shall be completed by January 25, 2023;
- 10 3. Rebuttal Expert witnesses shall be exchanged by February 27, 2023;
- 11 4. All expert discovery shall be completed by June 27, 2023;
- 12 5. All dispositive motions, except for motions for continuances, temporary
13 restraining orders or other emergency applications, shall be heard by
14 October 6, 2023; and
- 15 6. The Parties will notify the Court whether they request a court settlement
16 conference date or referral to the Voluntary Dispute Resolution Program
17 (VDRP) on or before October 28, 2022.

18 Accordingly, the Parties hereby respectfully request that the above deadlines be
19 extended as follows:

- 20 1. Factual discovery shall be completed by April 25, 2023;
- 21 2. Expert disclosures shall be completed by July 25, 2023;
- 22 3. Rebuttal Expert witnesses shall be exchanged by August 25, 2023;
- 23 4. All expert discovery shall be completed by January 25, 2024;
- 24 5. All dispositive motions, except for motions for continuances, temporary
25 restraining orders or other emergency applications, shall be heard by
26 April 5, 2024; and

6. The Parties will notify the Court whether they request a court settlement conference date or referral to the Voluntary Dispute Resolution Program (VDRP) on or before April 28, 2023.

IT IS SO STIPULATED.

Date: July 26, 2022 SIDLEY AUSTIN, LLP

By: /s/ Giles Judd
Giles Judd

Attorneys for Plaintiff,
C.R., by and through her Guardian Ad Litem,
TIFFANY ROE

Date: July 26, 2022 MATHENY SEARS LINKERT & JAIME LLP

By: /s/ Madison M. Simmons (as authorized on 07/21/22)
Madison M. Simmons

Attorneys for Defendants,
Elk Grove Unified School District and
Marilyn Delgado

Date: July 26, 2022 SIMS, LAWRENCE & BROGHAMMER

By: /s/ Norma Pedrosa Chavez (as authorized on 07/20/22)
Norma Pedrosa Chavez

Attorneys for Defendants,
Capitol Elementary School, Inc., and
Ira Ross

ORDER

Upon review of the parties' Stipulated Motion to Continue Deadlines as Modified in the Court's March 1, 2022 Order,

IT IS HEREBY ORDERED:

The parties' Stipulated Motion to Continue Deadlines as Modified in the Court's March 1, 2022 Order is hereby GRANTED. Accordingly, the Court's current deadlines as set forth in its March 1, 2022 Order are extended as follows:

1. Factual discovery shall be completed by April 25, 2023;
2. Expert disclosures shall be completed by July 25, 2023;
3. Rebuttal Expert witnesses shall be exchanged by August 25, 2023;
4. All expert discovery shall be completed by January 25, 2024;
5. All dispositive motions, except for motions for continuances, temporary restraining orders or other emergency applications, shall be heard by April 5, 2024; and
6. The Parties will notify the Court whether they request a court settlement conference date or referral to the Voluntary Dispute Resolution Program (VDRP) on or before April 28, 2023.

DATED: August 2, 2022.


CHIEF UNITED STATES DISTRICT JUDGE